

CITY OF VANCOUVERSPECIAL COUNCIL - OCTOBER 31, 1974

A Special Meeting of the Council of the City of Vancouver was held on Thursday, October 31, 1974 in the No. 1 Committee Room at 2:00 p.m.

PRESENT: Mayor Phillips  
Aldermen Bowers, Harcourt, Hardwick, Linnell,  
Marzari, Massey, Pendakur and Volrich

ABSENT: Aldermen Gibson and Rankin

CLERK TO THE COUNCIL: M. Kinsella

Local Improvements on the Initiative  
and by Petition

MOVED by Ald. Linnell,  
SECONDED by Ald. Hardwick,

THAT this Council resolve itself into a Court of Revision for the purpose of hearing complaints against the proposed assessments or the accuracy of frontage measurements, or any other complaint which persons interested may desire to make and which is by law cognizable by the Court, Mayor Phillips in the Chair.

- CARRIED UNANIMOUSLY.

COURT OF REVISION

P.C. Concrete Sidewalk, P.C. Concrete Sidewalk (School Collector Walks) on the initiative, Improvements made on Granville Mall Schedule #428

and

Pavements and Curbs, Lane Pavement, P.C. Concrete Sidewalk, P.C. Concrete Sidewalk (School Collector) by Petition Schedule #429

The Court received from the Assessment Commissioner, Schedule #428 listing a number of Local Improvement projects at various locations on the initiative. The Court also received from the Assessment Commissioner, Schedule #429 listing a number of Local Improvement projects by petition, which had been requested by the majority of the assessed owners by means of sufficiently signed petition.

In respect of Schedule #429, the Assessment Commissioner requested the Court to adjust the measurements of the following project:

"ITEM 113

P. C. Concrete Sidewalk on the East side of Slocan Street from Charles Street to the lane north of Charles Street.

Flankage assessed (Residential)	- From 27.50' to 13.75'
Flankage exempt (Residential)	- From 82.50' to 96.25'

<u>ORIGINAL ESTIMATED COSTS</u>	<u>ADJ. ESTIMATED COSTS</u>
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City	\$ 838.	City	\$ 941.
Property Owners	206.	Property Owners	103.
TOTAL	1,044.	TOTAL	1,044.

This project has been designated a School Collector Walk. Under the Local Improvement Procedure By-law, Part I Section 5 Subsection 1A, the city shall contribute eighty-seven and one-half per centum (87½%) of the cost of the project as would otherwise be specially assessed against flankage property benefited by the construction of sidewalks on school collector

cont'd ....

Schedules #428 and #429 (continued)

streets in a residential area. In this instance the only property affected by this project, Lot 16, Block 1, District Lot Section 23 S.W. Qtr., was not assessed as a School Collector Walk. (City Share 75%, Property Owners Share 25%). We request the Court of Revision to adjust the measurements as noted above.

Council as a Court of Revision has the authority to make the above noted adjustment to Item 113 under Section 511 of the Vancouver Charter."

MOVED by Ald. Linnell,  
SECONDED by Ald. Hardwick,

THAT the measurements of Item 113, Schedule #429 be amended as requested by the Assessment Commissioner.

- CARRIED UNANIMOUSLY.

The Court heard the following representation with respect to variation of assessment because of the abnormal shape of the parcel in question.

<u>Sch.</u>	<u>Proj.</u>		<u>Comments</u>
<u>No.</u>	<u>No.</u>		
Mrs. Mattick	429	54	requested reduction of her assessment for this local improvement on the basis of this property being a corner lot, abnormally shaped and therefore requiring higher payment than adjacent lots on Edgar and Haqqart Streets.

The City Engineer explained that this parcel had in fact been given special consideration when the assessment for the Local Improvement was being levied.

MOVED by Ald. Bowers  
SECONDED by Ald. Linnell,

THAT the assessment for Parcel 11, Project #54, Schedule #429 remain unchanged.

- CARRIED.

(Alderman Pendakur opposed)

MOVED by Ald. Linnell,  
SECONDED by Ald. Hardwick,

THAT Schedules #428 and #429 as submitted by the Assessment Commissioner and amended by this Court, be approved.

- CARRIED UNANIMOUSLY.

MOVED by Ald. Linnell,  
SECONDED by Ald. Hardwick,  
THAT the County of Barnet

THAT the Court of Revision rise and report.

- CARRIED UNANIMOUSLY.

## COUNCIL

MOVED by Ald. Linnell,  
SECONDED by Ald. Hardwick,  
THAT the report of the

THAT the report of the Court of Revision be received.

- CARRIED UNANIMOUSLY.

Local Improvement Subsequent Procedure -  
Schedules #428 and #429

The Council received the following representations speaking to the projects listed:

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Local Improvement Subsequent Procedure -  
Schedules #428 and #429 (continued)

<u>Sch. No.</u>	<u>Proj. No.</u>	<u>Comments</u>
Mrs. D. Eaton	428	15 requested Council to proceed with this project for a P.C. Concrete Sidewalk on a School Collector St. on special grounds as it was defeated, not having received the sufficiently signed petition. She submitted a brief which stated that the original school collector walk in this area (Ontario Street) is not servicing the large build up of area west of Ontario Street; a safe connection to marked crosswalk at west side of Manitoba and West 59th is required; large numbers of children use this portion of Manitoba for school collector walk and slanted boulevards, overgrown bush, and planted gardens prevent usage of the adjacent area of roadway by the children for safe passage.
Const. Ell, Van. Police School Safety Patrol	428	15 supported the request that this project be proceeded with.
Mr. McGavin, Children's Hospital	428	15 advised the Hospital was opposed to the project because their property adjoining Manitoba Street is vacant, however, he was not aware that Manitoba was used as a school collector street and he indicated that this might cause the Hospital to reconsider its position.
. . . . .		
A number of other persons present at the meeting spoke in support of Mrs. Eaton's request.		
. . . . .		
Mrs. Campbell	429	66 in favour of the project but requested that speed bumps be installed to protect the children in the area.
Mr. Lewis	429	14 not in favour of proposed 27' wide pavement, requested that the pavement be increased to 32'. He also raised the point that there are two 4-way stops on Nanaimo adjacent to Mannering which results in a number of drivers using Mannering as a through street with a consequent traffic hazard to children.

Council noted a report from the City Manager dated October 17, 1974 concerning subsequent procedure recommending that the initiative projects in Schedule #428, except the defeated items 15, 17, 20 and 21, be undertaken and the petition projects in Schedule #429 be undertaken.

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Local Improvement Subsequent Procedure -  
Schedules #428 and #429 (continued)

MOVED by Ald. Linnell,  
SECONDED by Ald. Hardwick,

THAT the City Engineer be instructed to contact the residents on Mannerling Avenue, both sides from Nanaimo to Gladstone, to determine their wishes with respect to pavement width and that the project not proceed in the meantime.

- CARRIED UNANIMOUSLY.

MOVED by Ald. Pendakur,  
SECONDED by Ald. Massey,

THAT the City Engineer be instructed to install speed bumps in the lane east of Quesnel Drive from Quesnel Drive to Puget Drive if legally possible.

- CARRIED UNANIMOUSLY.

MOVED by Ald. Bowers,  
SECONDED by Ald. Marzari,

THAT the recommendations of the City Manager contained in his report dated October 17, 1974 respecting the undertaking of the initiative projects in Schedule #428, except the defeated items 15, 17, 20 and 21, and the undertaking of the petition projects in Schedule #429, except item 14 not to be proceeded with at this time, be approved.

**CARRIED UNANIMOUSLY.**

Council also considered the following report from the City Manager dated October 17, 1974 with respect to Local Improvement on Special Grounds:

\*The City Engineer reports as follows:

**"GENERAL**

The following Local Improvement project was approved by Council on August 13, 1974 for further processing. The project which will come before a Court of Revision on October 31, 1974, has been defeated.

Schedule 428, Item 15, Manitoba Street, West Side, from  
59th Avenue to S.W. Marine Drive      P.C. Concrete Sidewalk  
on a School Collector  
Street

## LIMITATIONS

When Council advances a project on Special Grounds under the provisions of the Vancouver Charter, a property owner's share is limited to an amount not exceeding 25% of his assessed land value. This sidewalk project is not affected by this limitation and the normal cost distributions will apply, as follows:

Property Owners' Share	\$ 4,071
City's Share	<u>11,826</u>
Total Cost	<u>\$15,897</u>

## CAPITAL FUNDS

The City's share of the project is available in the 1974 Streets Capital Budget.

MANITOBA STREET, WEST SIDE FROM 59TH AVENUE TO MARINE DR.

Manitoba St. is a school collector street for children attending Sexsmith Elementary School, which is situated on the north side of 59th Avenue between Ontario and Columbia Streets.

Children are presently using the Manitoba Street roadway because no pedestrian facilities exist on either boulevard - the east boulevard has some garden encroachments and parts of the west boulevard are in a rough undeveloped condition.

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Local Improvement Subsequent Procedure -  
Schedules #428 and #429 (continued)

The Engineering Department has received strong representation on this matter from parents local to the school and the Traffic Division (School Patrol Squad) of the Vancouver Police Department has recommended construction of the above mentioned walk.

RECOMMENDATIONS

I RECOMMEND that:

The following project for a P.C. Concrete Sidewalk on a School Collector Street be proceeded with on Special Grounds, and that Council pass the formal resolution to this effect which is being prepared, and which will require the votes of two-thirds of all the members of Council.

Manitoba Street, West Side, from (Schedule 428, Item 15)"  
59th Avenue to S.W. Marine Drive

The City Manager RECOMMENDS the above report of the City Engineer be approved."

MOVED by Ald. Linnell,  
SECONDED by Ald. Pendakur,

THAT the recommendation of the City Manager contained in this report be approved.

- CARRIED UNANIMOUSLY.

MOVED by Ald. Linnell,  
SECONDED by Ald. Pendakur,

WHEREAS a proposed project for the construction of a Portland cement concrete sidewalk, five feet in width, on the West side of Manitoba Street from 59th Avenue to S.W. Marine Drive, was recommended by the Board of Administration on 9 August, 1974, and approved by Council on 13 August, 1974;

AND WHEREAS the said project was advanced as a local improvement on the initiative principle to a Court of Revision on 31 October, 1974, and was defeated;

AND WHEREAS it is hereby declared that it is necessary in the public interest that the said sidewalk be constructed on the West side of the said portion of Manitoba Street, which was designated by Council as a school collector street on 13 August, 1974;

AND WHEREAS the Council deems that the said sidewalk will specially benefit the real property fronting or abutting on the said portion of Manitoba Street;

AND WHEREAS the Council may by authority contained in section 506 of the Vancouver Charter by resolution passed by two-thirds of all its members, undertake and carry out the construction of the said sidewalk and assess the cost thereof against the real property so deemed to be specially benefited as a local improvement;

NOW THEREFORE BE IT RESOLVED that a Portland cement concrete sidewalk, five feet in width, together with all other necessary and incidental work in connection therewith, be constructed on the West side of Manitoba Street from 59th Avenue to S.W. Marine Drive;

Local Improvement Subsequent Procedure -  
Schedules #428 and #429 (continued)

AND BE IT FURTHER RESOLVED that the cost of the construction of the said sidewalk and all other necessary and incidental work in connection therewith be assessed against the real property fronting and abutting thereon as a local improvement upon the basis provided in By-law No. 3614, being the Local Improvement Procedure By-law, subject, however, to the limitations prescribed in the Vancouver Charter aforesaid;

AND BE IT FURTHER RESOLVED that the proportion of the cost of the construction of the said sidewalk and all other necessary and incidental work in connection therewith to be borne by the City pursuant to the Local Improvement Procedure By-law and the Vancouver Charter aforesaid, be assumed by the City and be paid out of the capital funds raised by the issue of debentures upon the general credit of the City at large.

- CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY

The meeting adjourned at approximately 3:00 p.m.

The foregoing are Minutes of the Special Council Meeting (Court of Revision) of October 31, 1974, adopted on November 12, 1974.

A. Phillips MAYOR



B. M. Litch  
CITY CLERK